

MCFM's 14<sup>th</sup> ANNUAL  
FAMILY MEDIATION INSTITUTE  
AND SPECIAL  
SATURDAY MASTER CLASS

*Separate Registration: \$100.00 - Limited to 25 attendees*  
*Note: only Institute registrants may register for the Master Class*

NOVEMBER 20, 2015  
8:30 AM - 5:00 PM  
**Wellesley Community Center**  
219 Washington Street, Wellesley, MA

*REGISTER EARLY*  
*MAXIMUM ATTENDANCE 90!*

**Early registration: received by October 30th**  
MCFM members \$175, non-members \$215

**Late registration: received after October 30th**  
MCFM members \$195, non-members \$235

**Costs include written materials & a buffet lunch with ample vegetarian options. Limited scholarship assistance is available on written request.**

*REGISTRATION ACCEPTED ONLINE ONLY*

[www.mcfm.org](http://www.mcfm.org)

Pay online with these credit cards  
Visa/MasterCard/Discover/AmEx

***Cancellation policy:***

Full refunds (except for a \$25 cancellation fee) will be issued if you cancel your registration by November 6, 2015. The cancellation will be acknowledged but refunds will not be issued until after the Institute. Cancellations between November 6 and November 20 must include documentation of a medical emergency. No refunds will be issued for cancellations after November 19. Substitutions are permitted at any time.

**ACKNOWLEDGMENTS**

*In addition to our faculty, MCFM gratefully acknowledges the enormous efforts of Laurie Udell, Kate Fanger, Fran Whyman, Vicki Shemin, and Barbara Kellman, without whose contributions this Institute would not have been possible.*

THE MASSACHUSETTS COUNCIL ON FAMILY MEDIATION, INC.  
PRESENTS ITS 14<sup>th</sup> ANNUAL

# FAMILY MEDIATION INSTITUTE

NOVEMBER 20, 2015  
8:30 AM - 5:00 PM  
Wellesley Community Center

**Morning Agenda**  
**8:30 - 8:45 AM Registration**  
**8:45 - 9:00 AM Welcome & Light Refreshments**

## *SEMINARS & WORKSHOPS*

**9:00 – 10:30 AM Keynote Speaker**

Bill Eddy, LCSW, JD, CFLS

**It's All Your Fault in Mediation!**

**(Engaging High-Conflict Clients in Positive Problem-Solving)**

High-conflict clients tend to be blaming, highly defensive, focused on the past and demanding that others solve their problems. This presentation will describe several adaptations to the mediation structure and process to shift the parties from focusing on the past to focusing on the future, shifting from making demands to asking questions, and redirecting blaming into making proposals.

**10:40-12:30 PM**

Bill Eddy, LCSW, JD, CFLS, Emily Gould, Esq., and Dave Joseph, MSW

**Watch How The Experts Do It**

Three fishbowl mediations will demonstrate how different expert mediators approach the same clients.

**BUFFET LUNCH 12:30 - 1:30 PM**  
**Featuring MCFM's 11<sup>th</sup> Annual Presentation of the**  
**John A. Fiske Award for Excellence In Mediation**

## EARLY AFTERNOON WORKSHOP

1:40 - 3:10 PM

### Family Law: The Year in Review

Jonathan Fields, Esq. and Fern Frolin, Esq.

A review of the recent case law and upcoming cases affecting family mediators, including “how to” tips to deal with the changing landscape.

## LATE AFTERNOON WORKSHOP

3:15 - 4:45 PM

### What’s Fair Got To Do With It?

Oran Kaufman, Esq. And Fran Whyman, Esq.

This interactive workshop will focus on the concept of “fair” in a mediated Separation Agreement. What is the role of the mediator in influencing the parties on what is fair? Should the focus be on what the parties feel is fair or what the mediator believes the court will accept as fair? Are the standards for fairness in a mediated agreement different than in a litigated divorce and should they be? What are the mediator’s obligations around this issue to our clients, the Courts, and ourselves? With the help of these two experienced mediators, participants will discuss fact patterns related to the complicated decision the mediator has to make in determining what role he or she should play in influencing the “fairness” outcome of an Agreement.

## MCFM INSTITUTE FACULTY

**Bill Eddy** has been a mediator for over 30 years, as well as a therapist and family lawyer. He is based in San Diego, California, where he is the Senior Family Mediator for the National Conflict Resolution Center and the President of the High Conflict Institute. He has written several books, including *High Conflict People in Legal Disputes* and trained professionals worldwide on managing high-conflict disputes. He has developed a new method for high-conflict mediation called *New Ways for Mediation (A Proposal-Focused Approach)*. His website is [www.HighConflictInstitute.com](http://www.HighConflictInstitute.com)

**Jonathan Fields** is a founding partner of Fields and Dennis, LLP and has been practicing law for more than 23 years. He is an attorney, mediator and collaborative lawyer with an exclusive focus on family law. He is listed in Best Lawyers in America in the field of Family Law, and also named to Massachusetts Super Lawyers List.

**Fern Frolin** is a family lawyer at Mirick, O’Connell, DeMallie & Lougee. She was the only Massachusetts lawyer to serve on both the 2009 Child Support Guidelines Task Force and the Massachusetts legislature’s 2012 Alimony Reform Task Force. Fern’s practice is about evenly comprised of client representation through negotiation and litigation and ADR neutral

work as mediator, master, parent coordinator or arbitrator.

**Emily Gould** is a mediator, coach and trainer in Montpelier, Vermont with a domestic and international practice. A former criminal prosecutor and general counsel, she brings 30 years of experience to her conflict consultancy practice, helping individuals, families and organizations to transform conflict by harnessing the power of their values. Emily’s coaching practice includes divorce coaching, leadership development and coaching other mediators in skill and practice building.

**Dave Joseph** is Senior Vice-President for Program at the Public Conversation Project, where he has provided training and consultation in Reflective Structured Dialogue in the United States, Canada, Greece, Burundi, Nigeria and Liberia. He was trained as a mediator in 1995 and co-founded and served as Executive Director of the Community Mediation Center of Rhode Island. He is also a founding member and serves on the board of Mediators Beyond Borders.

**Oran Kaufman** has been a family law attorney since 1989 and a mediator since 1994. His practice focuses on family law mediation, collaborative practice and guardianship of elders. He is the owner of Amherst Mediation Services and co-owner of ConflictWorks, which provides conflict resolution training to organizations and businesses. He is a past president of MCFM and has written and lectured extensively about mediation. Oran is an MCFM Certified Mediator and an Advanced Practitioner with ACR and APFM. He is a lead trainer for The Mediation and Training Collaborative and an adjunct professor at Western New England University School of Law.

**Fran Whyman** is a mediator and collaborative lawyer. Fran’s practice, Whyman Law and Mediation, is based in Natick and focuses exclusively on the out-of-court resolution of family law matters through mediation, collaborative law and lawyer-to-lawyer negotiation. Fran is certified by the MCFM as a mediator. She serves on the volunteer mediation panel at CDSC. Fran is the current President of the MCFM

## MASTER CLASS

SATURDAY, NOVEMBER 21, 2015 at Olin College

**Bill Eddy, LCSW, JD, CFLS**

8:30 - 9:00 AM Light Refreshments      9:00 - 1:00 PM Advanced Skills Workshop

Bill Eddy will provide a step-by-step training in the *New Ways for Mediation* structure and process for managing high-conflict clients. In this method, the mediator teaches and reinforces four simple skills for clients to actively engage them in positive problem-solving. This also involves key paradigm shifts in each step of the mediation structure to help the parties to stay away from the past, to ask more questions, to more actively build their agendas, make more proposals and respond constructively rather than digging in their heels. This process involves “reverse interest-based negotiations,” which should pique the interest of mediators trained in *Getting to Yes*.